

**Notice of Public Hearing**

LSA Document #18-408

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on January 2, 2019, at 10:00 a.m., at the Indiana Government Center South, 302 West Washington Street, Conference Center Room 14, Indianapolis, Indiana, the Department of Workforce Development will hold a public hearing on a proposed rule to amend the following: [646 IAC 5-1-3](#) concerning definition of "approved training"; [646 IAC 5-1-4](#) concerning definition of "employee"; [646 IAC 5-1-17](#) concerning definition of "sick pay"; [646 IAC 5-2-1](#) concerning content of quarterly wage and employment reports required by the department; [646 IAC 5-2-2](#) concerning filing of reports; [646 IAC 5-2-3](#) concerning requirement of nothing to report; [646 IAC 5-2-4](#) concerning estimation of wages; [646 IAC 5-2-5](#) concerning unemployment contribution rates; [646 IAC 5-2-6](#) concerning merit rate process; [646 IAC 5-2-7](#) concerning transfers of Indiana operations; [646 IAC 5-2-8](#) regarding calculation and payment of contributions; [646 IAC 5-2-9](#) regarding accelerated payment of contributions under Schedule "A"; [646 IAC 5-2-11](#) regarding termination or transfer of business; [646 IAC 5-2-15](#) regarding department notices to employers; [646 IAC 5-3-8](#) regarding seasonal employment wage reporting; [646 IAC 5-5-4](#) regarding minor child or spouse employed in family business; [646 IAC 5-6-5](#) regarding payments to corporate officers, directors, and members of a board of directors; [646 IAC 5-7-2](#) regarding separating and base period employer notices and protests; [646 IAC 5-8-2](#) regarding leave of absence; [646 IAC 5-8-3](#) regarding voluntary quit (general); [646 IAC 5-8-4](#) regarding voluntary quit (good cause); [646 IAC 5-8-6](#) regarding discharge (breach of duty); [646 IAC 5-9-2](#) regarding reporting requirements; [646 IAC 5-9-3](#) regarding effort to secure full-time work; [646 IAC 5-9-4](#) regarding report of job search; [646 IAC 5-10-1](#) regarding conduct of claims adjudicators; [646 IAC 5-10-2](#) regarding request for hearing before administrative law judge; notice of hearing; [646 IAC 5-10-6](#) regarding continuances and dismissals; [646 IAC 5-10-7](#) regarding withdrawal of appeal; [646 IAC 5-10-8](#) regarding decision of administrative law judge; [646 IAC 5-10-9](#) regarding request for appeal to the review board; [646 IAC 5-10-10](#) regarding conduct of members of the review board; [646 IAC 5-10-13](#) regarding witnesses, subpoenas, and limitation; [646 IAC 5-10-15](#) regarding translations; [646 IAC 5-10-18](#) regarding representation before an administrative law judge or the review board; [646 IAC 5-10-19](#) regarding service of notice and computation of time; [646 IAC 5-10-20](#) regarding pleadings and forms; [646 IAC 5-10-24](#) regarding telephone hearings; [646 IAC 5-10-25](#) regarding proceedings before liability administrative law judge; [646 IAC 5-11-5](#) regarding claims for benefits; [646 IAC 5-12-3](#) regarding reciprocal coverage election approval; and [646 IAC 5-12-6](#) regarding effective period of elections. The proposed rule also adds [646 IAC 5-2-17](#) regarding payments to the department, and repeals [646 IAC 5-10-22](#) regarding transfer of hearing to unemployment insurance board. Effective March 30, 2019.

The proposed rule reflects new data management processes, moving the collection of wage data to the Department's Employer Self Service site. Employers can opt out of electronic data collection. The rule specifies data collection requirements and clarifies when and how electronic communication to and from the Department and employers will be permitted. The Department estimates that businesses will incur minimal or no additional administrative expenses resulting from the rule because no additional reporting or filing requirements are added. The proposed rule changes how the information is provided to the Department, and allows for the collection of additional data. There are considerable benefits from receiving this additional data. Among the benefits are additional data allows for heightened analysis, which provides a greater sense of needs and outcomes. The Department will be able to have a better measure of the breakdown of part-time/full-time employees by wage and occupation. Furthermore, the Department will be able to accurately identify areas where the Indiana workforce is growing or shrinking. Consequently, the state will be better equipped to tailor its workforce development strategies to meet specific needs. The additional data will also allow the Department to partner more effectively with other state agencies for purposes of programming and needs assessments.

The purpose of this hearing is to receive comments from the public prior to consideration of preliminary adoption of these rules by the Department. All interested persons are invited and will be given reasonable opportunity to express their views concerning the proposed amendments. Oral statements will be heard, but, for the accuracy of the record, all comments should be submitted in writing.

Additional information regarding this action may be obtained from Holly Newell, Deputy General Counsel, 317-232-1818.

Individuals requiring reasonable accommodations for participation in this event should contact Holly Newell, Deputy General Counsel, 317-232-1818. Please provide a minimum of 72 hours notification.

Copies of these rules are available on the Department of Workforce Development's website at:

[www.in.gov/dwd/3318.htm](http://www.in.gov/dwd/3318.htm)

Copies of these rules are now on file at the Department of Workforce Development, 10 North Senate Avenue, Indianapolis, Indiana and are open for public inspection and copying.

Fred Payne  
Commissioner  
Department of Workforce Development

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An [html](#) version of this document.